

STATE ARCHIVES AND RECORDS COMMISSION
Minutes of the Quarterly Meeting
December 14, 2006
Department for Libraries and Archives

The State Archives and Records Commission met at 10:00 a.m., Thursday, December 14, 2006, in the Board Room, Kentucky Department for Libraries and Archives (KDLA), 300 Coffee Tree Road, Frankfort, Kentucky.

Members present: Wayne Onkst, Chairman; Sandra McAninch, representing the Kentucky Library Association; Emily Dennis, representing Citizens-at-Large; James F. Kastner, representing the Kentucky Historical Society, and Terry L. Birdwhistell representing the University of Kentucky; and Dean Johnson representing local governments.

Representatives present: Charles Harman representing Virginia G. Fox, Secretary, Education Cabinet; Brandon Haynes, representing Joseph E. Lambert, Chief Justice, Supreme Court; Amye Bensenhaver, representing Gregory D. Stumbo, Attorney General; Bryan Lykins, representing Crit Luallen, Auditor of Public Accounts; Leslie Smith, representing Robert Sherman, Director, Legislative Research Commission; and Glenna Mays, representing Brad Cowgill, State Budget Director, Governor's Office of Policy and Management;.

Members not present or represented: Mark Rutledge, Commissioner of Technology, Commonwealth Office of Technology.

Public Records Division staff present: Richard N. Belding, Director, Public Records Division; Barbara Teague, Manager, Archival Services Branch; Glen McAninch, Manager, Technology Analysis and Support Branch; Jim Cundy, Manager, State Records Branch; Mark Stone, Manager, Micrographics and Imaging Services Branch; Mark Myers, Electronic Records Specialist; Pat Brookman, Records Analyst; Thomas Getman, Records Analyst; Cynthia Snapp, Administrative Specialist.

Other Department staff present: Skip Hunt, Branch Manager, Information Technology; Cindy Hamilton, Network Analyst; and Karla Mays, Network Analyst.

Guests present: Thomas Self, Office of Legal Services, Justice and Public Safety Cabinet; Terri Sorrell, Office of Legal Services, Justice and Public Safety Cabinet; and Dr. William Morison, Director, University Archives and Records Center, University of Louisville.

Onkst called for introductions by those present.

Ms. McAninch made a motion to accept the minutes of the previous Commission meeting, seconded by Mr. Lykins. The vote by members and representatives present was unanimous.

NEW OR REVISED RECORDS RETENTION SCHEDULES

Justice and Public Safety Cabinet -- Office of Legal Services

Brookman was the Records Analyst working on this change. **Series revised on the schedule:** Series 02963, Lawsuits – Federal and State, from Retain in Agency 50 years, to Retain in Agency indefinitely. Transfer to Records Center 1 year after close of case. Retain at Records Center for 9 years; Series 02964, Lawsuits – Board of Claims, from Retain in Agency 50 years, to Retain in Agency indefinitely. Transfer to Records Center 1 year after close of case. Retain at Records Center for 4 years; Series 02965, Lawsuits – Personnel and Equal Employment Opportunity, from Retain in Agency 50 years, to Retain in Agency indefinitely. Transfer to Records Center 1 year after close of case. Retain at Records Center for 4 years.

The Justice and Public Safety Cabinet is responsible for criminal justice services which encompass law enforcement and training; prevention-education and treatment involving substance abuse; adult and juvenile incarceration; autopsies, death certifications and toxicology analyses; special investigations; paroling of eligible convicted felons; and long range planning and recommendations on statewide criminal justice reform issues.

Self explained that legal case files are maintained by the appropriate court and that these represent attorney litigation files. These changes in retention would help the agency with storage of records with little or no reentry.

Ms. Dennis made a motion to adopt the schedule changes, seconded by Ms. McAninch. The vote by members and representatives present was unanimous.

Myers and Cundy gave a presentation regarding a proposed change being considered by the Archives and Records Commission to Series M0002, General Correspondence, on the General Schedule for State Agencies. For more information, see the attached slides from the presentation.

Office of Alcoholic Beverage Control

Brookman was the Records Analyst working on this schedule revision. **Series added to the schedule:** Series 05526, Server Training in Alcohol Regulations Training Class File; Series 05527, Tobacco Complaints; Series 05528, Order for Destruction of Tobacco Evidence; Series 05529, Tobacco Compliance Checks; Series 05530, Tobacco Violation Warnings; Series 05531, Tobacco Citations. **Series closed on the schedule:** Series 01032, Alcoholic Beverage Control Scrapbook; Series 01036, Regulation Hearings Transactions; Series 01042, Cash Cards for License Receipts; Series 01043, Card File on Distributors and Brewers; Series 01044, License Application and Hearing Information – Distributors and Brewers; Series 01046, License Application and Hearing Information – Retail Beer; Series 01047, Malt Beverage Applications; Series 01048, Malt Beverage Application Refund; Series 01049, Out-of-State Brewers; Series 01050, License Applications – Beer transporters, beer storage, temporary beer license; Series 01067, Bootleggers Card File. **Series deleted from the schedule:** Series 01030, Reports to the Governor; Series 01038, Advertising Approval and Disapproval File; Series 01045, Card File on Retail Beer Licenses; Series 01061, Identification Card Records; Series 01062, Card File on Violation Reports; Series 01069, Licensee Card File; **Series' names revised on the schedule:**

Series 01035, Finalized Cases for Board Hearings changed to ABC Board Case File; Series 01039, Pending Cases – Circuit Court or Court of Appeals changed to ABC Board Case Appeals; Series 01040, Beer and Liquor License Refund Cards changed to Alcoholic Beverage License Refunds; Series 01065, Card File on Field Reports changed to Field Reports; Series 01066, Citations and Orders Issued changed to Uniform Citations; Series 01068, Complaints Card File changed to Alcohol Complaint Form. **Retentions revised on the schedule:** Series 01035, ABC Board Case File, from Transfer to appropriate license application and hearing information file after hearing, to Transfer to License Application File (Series 01052) upon final Board Order and expiration of appeal date; Series 01037, Transcripts of Legal Cases, from Retain 10 years in Agency, Transfer to Archives, to Retain 5 years in Agency, Transfer to Archives; Series 01040, Alcoholic Beverage License Refunds, from Retain 5 years in Agency, to Retain 3 years in Agency, Transfer to Records Center for 5 years; Series 01041, License Fee Remittance List, from Retain 5 years in Agency, to Retain 3 years in Agency, Transfer to Records Center for 5 years; Series 01052, License Application File, from Indefinite in Agency, Destroy 3 years after inactivation of license and audit, to Retain 1 year in Agency, Transfer to Records Center for 2 years; Series 01059, Special Temporary License File, from Indefinite in Agency, Destroy 3 years after inactivation of license and audit, to Retain 1 year in Agency. Transfer to Records Center for 2 years; Series 01064, Agents' Daily Report, from Retain in Agency 1 year, Destroy, to Retain in Agency 2 years, Destroy; Series 01065, Field Reports, from Retain in Agency 1 year, Destroy, to Retain in Agency 1 year, Upon completion, move to Licensee Application File (Series 01052); Series 01068, Alcohol Complaint Form, from Retain in Agency Permanently, to Retain in Agency 2 years, Destroy 2 years after resolution of Investigation/case.

The 1934 General Assembly enacted the Kentucky Alcoholic Control Act, to be administered by the Department of Revenue and Taxation. In 1996, all enforcement functions of the "Tobacco Sales to Minors Law" were transferred from the Department of Agriculture to the Department of Alcoholic Beverage Control (ABC). In 2003, the agency was reorganized into the Office of Alcoholic Beverage Control.

Brookman reviewed the schedule revision.

Mr. Haynes made a motion to adopt the schedule, seconded by Ms. McAninch. The vote by members and representatives present was unanimous.

Board of Claims

Brookman was the Records Analyst working on this schedule revision. **Series revised on the Schedule:** Series 00891, Case Files (Not Appealed to Supreme Court), from Transfer to State Records Center 2 years after final disposition and closure, to Maintain database, updating as needed; transfer to State Records Center 2 years after final disposition and closure. Total retention 10 years; Series 03064, Case Files (Appealed to Circuit Court), from Transfer to State Archives 2 years after final disposition and closure, to Maintain database, updating as needed. Transfer to State Archives 2 years after final disposition or closure; Series 00892, Opinions of the Full Board, from Transfer to State Archives to Maintain database, updating as needed. Transfer to State Archives; Series 00893, Agendas for Board Meeting, from Retain no longer than 2 years in Agency, to Retain permanently in Agency. **Series closed on the schedule:** Series

00894, Claims Log Book (The agency no longer keeps log books.); Series 00895, Claims Card File (The agency no longer uses this file.). **Series deleted from the schedule:** Series 00897, Claims Never Perfected (The agency now sets up every claim. If the claim is never perfected, it is dismissed, and the file is closed.).

Created in 1946, the Board of Claims is responsible for deciding claims filed against the state by citizens who believe their person or property has been damaged through negligent acts on the part of the state.

Brookman reviewed the schedule revision.

Mr. Haynes made a motion to adopt the schedule, seconded by Ms. McAninch. The vote by members and representatives present was unanimous.

Crime Victims Compensation Board

Brookman was the Records Analyst working on this schedule revision. **Series revised on the schedule:** Series 00898, Case Files (Not Appealed to Circuit Court), from Retain at Agency Indefinitely. Transfer to Records Center 2 years after closure or final disposition. Retain at Records Center 10 years, to Maintain database, updating as needed. Retain at Agency indefinitely. Transfer paper reports to Records Center 2 years after closure of final disposition. Total retention 10 years. Series 00900, Agendas for Board Meetings, from Retain at Agency Indefinitely. Retain no longer than 2 years, to Retain in Agency Permanently. Series 03065, Case Files (Appealed to Circuit Court), from Retain at Agency Indefinitely. Transfer to State Archives 2 years after final disposition. Copy of index must accompany case files upon transfer, to maintain database, updating as needed. Transfer paper reports to State Archives 2 years after final disposition. **Series closed on the schedule:** Series 00901, Claims Log Book (The agency no longer uses Log Books.); Series 00902, Claims Card File (The agency no longer uses this file.). **Series deleted from the schedule:** Series 00903, Alphabetical Index of Assailants (The agency no longer uses this file.).

The Crime Victims Compensation Board, created in 1976, determines eligibility and amount of reimbursement to innocent, needy crime victims. The goal of the agency is to ensure an impartial and fair view of all claims, compensating needy innocent victims for the financial losses incurred due to the physical and emotional injuries resulting from a violent crime.

Brookman reviewed the schedule revision.

Mr. Haynes made a motion to adopt the schedule, seconded by Mr. Kastner. The vote by members and representatives present was unanimous.

Horse Racing Authority

Brookman was the Records Analyst working on this schedule revision. **The schedules for the Racing Commission and the Kentucky Harness Racing Commission are being combined into the Kentucky Horse Racing Authority.** **Series added to the schedule:** Series 05535, Backside Improvement Fund File; Series 05536, Track Assessment File; Series 05537 Unclaimed

Pari-mutuel Tickets; Series 05538, Horse Entries File; Series 05539, Kentucky Breeders Incentive Fund File; Series 05540, Equine Drug Research Council/Equine Drug Testing File; Series 05541, Kentucky Thoroughbred Development Fund File. **Series closed on the schedule:** Series 00973, Color Book; Series 00978, Kentucky Thoroughbred Development Fund Registration Card; Series 00980, Color File; Series 00983, Application Renewals – Ownership License. **Series revised on the schedule:** Series 00977, Development Fund Logs, from Permanent in Agency, to 5 years in Agency; Permanent in Records Center; Series 04851, Daily Log Sheet File, from 10 years in Agency, to 1 year in Agency; 10 years in Records Center; Series 04853, Horse Injury Report File, from 20 years in Agency, to 1 year in Agency, 10 years in Records Center.

In 1992, the Kentucky Racing Commission was created out of the Kentucky State Racing Commission and the Kentucky Harness Racing Commission. In 2004, the agency became the Kentucky Horse Racing Authority; an independent agency of state government charged with the responsibility of regulating the conduct of horse racing and pari-mutuel wagering on horse racing and related activities within the Commonwealth of Kentucky. The Authority is attached to the Environmental and Public Protection Cabinet for administrative purposes.

Brookman reviewed the schedule revision.

Mr. Haynes made a motion to adopt the schedule, seconded by Mr. Kastner. The vote by members and representatives present was unanimous.

Governor's Office of Agricultural Policy

Brookman was the Records Analyst working on this addition. **Series added to the schedule:** Series 05525, Kentucky Tobacco Settlement Trust Corporation Claims Forms.

Created in 1998, the Governor's Office of Agricultural Policy (GOAP) provides a direct link between the Governor and the agriculture industry. The office administers the Governor's Commission on Family Farms, the Kentucky Agricultural Resource Development Authority (KARDA), the Kentucky Agricultural Development Board (Phase I), the Kentucky Tobacco Settlement Trust Corporation (Phase II), and the Kentucky Aquaculture Infrastructure Development Fund.

Cundy noted that these records are held by a third party administrator. GOAP receives summary reports from the third party administrator. These are permanent records.

Mr. Haynes made a motion to adopt the schedule addition, seconded by Mr. McAninch. The vote by members and representatives present was unanimous.

Justice and Public Safety Cabinet -- Department of Corrections

Brookman was the Records Analyst working on these additions. **Series added to the schedule:** Series 05522, Prison Disciplinary Hearing Audio File; Series 05542, Inmate Account.

The Department of Corrections is responsible for managing the daily operations of the state correctional institutions and a variety of community-based services. The Department operates twelve adult correctional institutions and oversees three private prisons. It also oversees jail standards, training of jailers and jail personnel, and jail planning and construction, and may contract with a county fiscal court or local or regional correctional authority to house misdemeanants and persons awaiting trial or sentencing.

Brookman reviewed the schedule additions.

Mr. Haynes made a motion to adopt the schedule additions, seconded by Ms. McAninch. The vote by members and representatives present was unanimous.

Department of Education – Office of District Support Services – Division of Facilities Management

Getman was the Records Analyst working on this change. **Revision to the Schedule:** Series 02581, Building Design Development Plans from Permanent to 10 years.

The Department of Education has undergone two major transitions. The Kentucky Education Reform Act of 1990 (KERA) abolished the Department as it existed at that time and terminated all its employees, effective June 30, 1991. The Commissioner was directed to reorganize the Department with new positions as of July 1, 1991. The Department was reorganized again by Executive Order (98-DOE-1671) in December of 1998, which was confirmed by the enactment of House Bill 79. The current mission of the Department of Education is to provide resources and guidance to Kentucky's public schools and districts as they implement the state's K-12 education requirements. The Department's major areas of responsibility include: the statewide assessment and accountability system; technical assistance to schools and districts in the areas of finance, management and curriculum; the state education technology system; and school and district compliance with state and federal laws.

Getman explained the change. The purpose of the change in retention is to reflect developments in the procedure for approval of construction of school facilities.

Belding asked who is responsible for maintaining the as-built plans for school district-owned facilities. Getman advised that under the current procedures, the district schools are responsible for maintenance of those plans.

Ms. Smith made a motion to adopt the schedule change, seconded by Mr. Kastner. The vote by members and representatives present was unanimous.

General Schedule for Electronic and Related Records

Myers was working on this addition. **The addition to the schedule is:** E0059, Electronic Messages.

The General Schedule for Electronic and Related Records describes those records common to the management and maintenance of an electronic system. It includes records that may be created or captured in a variety of forms and media. Some of the records on the schedule may be automatically generated when a user interacts with the system. The following series represents the records produced by electronic messaging systems. This submission is part of the continuing effort to update the General Schedule for Electronic and Related Records.

Myers summarized the change. He said that the retention period depends on the type of record involved and that the electronic message itself should be deleted once the record involved was determined and filed accordingly. He noted that this series allows the schedule to address electronic messages in a general manner without categorizing them as certain types of records.

Dennis wondered whether electronic messages would be included under already existing series encompassing various types of correspondence. Myers said that electronic messages could potentially constitute any type of record. Cundy explained this is an effort to formalize instructions already in place with regard to classification of messages.

Bensenhaver encouraged the staff to use the opportunity presented while conducting educational outreach to draw attention to state agency employees that this type of record is now included on a records retention schedule, given that there is probably not a widespread understanding that, for example, a voice mail message would be considered a public record.

Bensenhaver expressed her concern over whether agency personnel have the knowledge and the capability to maintain records such as voice mail for the appropriate retention period. Birdwhistell wondered if it were appropriate to schedule a record for which technical standards did not exist. Myers said that the capacities for utilizing and preserving technologies appropriately exist in certain state agencies and not in others. Cundy said that state agency personnel had reached a point at which the law has not kept pace with technological practices.

Dennis expressed concern that the court system might be ruling on issues relevant to the proposed records series, and that the proposed change is probably unenforceable since many agencies do not have the capacity to meet the proposed guidelines.

Cundy noted the recommendation of the Advisory Committee for Series M0002, General Correspondence, was for Commission approval with a delayed implementation date pending the educational outreach to be provided by the Department of Libraries and Archives. Cundy wondered if that would be appropriate with this series E0059, Electronic Messages.

Dennis made a motion to table the schedule addition for six months and direct the Department of Libraries and Archives to provide education to the agencies before the schedule is implemented. The motion died for lack of a second.

Mr. Haynes made a motion to adopt the schedule addition, seconded by Ms. McAninch. The vote by members and representatives present was 11 for and 1 against. Ms. Dennis was the member voting in the negative.

Cabinet for Health and Family Services – Office of Health Policy – Division of Health Policy Development

Cundy presented this addition. **The addition to the Schedule is:** Series 05521, State Health Plan, Facility Utilization and Series Surveys.

In July 2005, the Division of Health Policy Development was created as a part of the Office of Health Policy. It is responsible for coordinating all health policy matters within the Cabinet and for developing health insurance policy in coordination with the Kentucky Office of Insurance. The division plays an integral role in policy coordination and benefit design for state employee health insurance in conjunction with the Personnel Cabinet. The division is also responsible for collecting and analyzing statewide health data. It identifies opportunities for preparing and distributing relevant information to the public about health, health care and public policy.

Cundy reviewed the schedule addition.

Ms. Smith made a motion to adopt the schedule addition, seconded by Ms. Dennis. The vote by members and representatives present was unanimous.

Lexington/Fayette Urban County Government – Finance -- Pension Administration

Jerry Carlton worked on these additions. **Additions to the Schedule:** L5849, Individual Retirement/Pension File; L5850, Benefits File; L5851, Trust Statement (Monthly); L5852, Disability Application (Not Approved); L5853, Roster Sheet/Ballots & Legislative Survey (Policemen's & Firefighters'); L5854, Roster Sheet/Ballot – Proposed Changes by Statue (Policemen's & Firefighters'); L5855, Payroll Worksheets (Monthly); L5856, Domestic Relations Report; L5857, Investment Manager Search Information; L5858, Official Minutes Board of Trustees; L5859, Audio/Video Recordings Board of Trustees; L5860, Packets for Members of the Board of Trustees; L5861, Banking Records File; L5862, Employer's Monthly Return of Income Tax Withheld; L5863, Form 1099 – R. **Revisions to the Schedule:** L5489, Personnel File from Indefinite-Destroy 70 years from first date of hire to Indefinite-Destroy selected records 60 years from date of hire and Destroy selected records 5 years after termination of employment.

Lexington/Fayette Urban County Government (LFUCG) was formed by the merger of the City of Lexington and Fayette County. The merged government was officially chartered on January 1, 1974 after a referendum was approved by the citizens of both governments. A government - wide records retention schedule was approved by the State Archives and Records Commission on September 9, 2004. The following records series are additions to the LFUCG Records Retention Schedule. LFUCG has two active pension plans. The Policemen's and Firefighters' Retirement Fund covers police and fire personnel, while the City Employee's Pension Fund covers the remainder of LFUCG employees. The record series listed are maintained for each pension fund except for L5853 and L5854 which only apply to the Policemen's and Firefighters' Retirement Fund.

Carlton reviewed the schedule additions.

Ms. Smith made a motion to adopt the schedule additions, seconded by Ms. McAninch. The vote by members and representatives present was unanimous.

Governor's Office for Local Development -- Office of State Grants -- Special Projects Branch

Getman was the Records Analyst working on these additions. **Additions to the Schedule:** Series 05523, Body Armor Program Files; Series 05524, Cemetery Preservation Fund Files.

The Governor's Office for Local Development, formerly the Department for Local Government, provides financial assistance to various units of local government statewide by way of grants and loans. GOLD coordinates the application and award process for both state and federal grants. The agency also advises local government entities in the areas of personnel and budgeting administration and sponsors continuing education training for county officials at all levels. The administration of grants through GOLD is conducted by the Office of Federal Grants and the Office of State Grants. Administrative sections under the Office of State Grants are Renaissance on Main, Coal Development Branch, Field Services and the Special Projects Branch. The Body Armor Program and the Cemetery Preservation Fund fall under the Special Projects Branch, along with the Area Development District Fund and General House Bill (HB) line item projects.

Getman reviewed the schedule additions.

Ms. Smith made a motion to adopt the schedule additions, seconded by Mr. Haynes. The vote by members and representatives present was unanimous.

Louisville/Jefferson County Metro Government -- Firefighters' Pension Fund

Carlton worked on this addition. **Additions to the Schedule:** L5864, Pension Beneficiary File (Individual Retirement/Pension File)

Louisville and Jefferson County became a merged government on January 6, 2003. It took four votes over 40 years before the citizens of Jefferson County said "yes" in November 2000 to creating a consolidated local government. Since that time, efforts have been made to consolidate the City of Louisville Records Retention Schedule with the Jefferson County Records Retention Schedule. This is an addition to that Metro Louisville Records Retention Schedule. Metro Louisville Government now has a new archives facility, located at the corner of 7th Street and Industry Road, which will allow the consolidation of holdings that are currently located at four separate sites. Staff expects that the move will be completed in 2007. This will not only consolidate Metro Archives administration but will significantly increase available space.

Carlton presented the schedule addition.

Mr. Haynes made a motion to adopt the schedule additions, seconded by Ms. McAninch. The vote by members and representatives present was unanimous.

General Schedule for State Agencies -- Miscellaneous Records

Myers was working on this change and addition. Cundy presented the change and addition. **Additions to the Schedule:** M0050, Non Business-Related Correspondence. **Revisions to the Schedule:** Series M0002, General Correspondence, from retain no longer than two years, to retain 2 years.

A General Schedule is a class of records retention schedule which governs the retention and disposition of specified records common to several or all public agencies. The General Schedule for State Agencies covers records for State Agencies. These submissions represent part of the continuing effort to update the General Schedule for State Agencies.

Cundy summarized the change and addition.

Dennis expressed concern that the proposed Series M0050, Non Business-Related Correspondence, makes the assumption that all personal emails that are sent on a state computer are public record. Noting that an argument can be made that non business-related messages are not public record, she wondered whether the Commission has the authority to approve this. Cundy noted that the Federal Government does maintain an equivalent records series.

Mays stated that while the status of personal correspondence as a public record may not have been determined at this time, the state should have in place some mechanism to manage the large volume of e-mail, which otherwise agencies will be paying to store. Lykins concurred that because the mechanism that is being used to transport that message is a public resource, it should be managed in such a way that it is cost-effective for the agency and for taxpayers.

Harman asked what the purpose of the delayed implementation date was and had the Commission approved items in the past with a delayed implementation date. Belding said that neither he nor Carlton could recall the Commission's having instituted a delayed implementation date. The motives for the delay are education-related and allow acknowledgment that the level of awareness among state employees and agency heads must be heightened to facilitate effective implementation of the change. PRD staff would be making a major investment in training and communication for this change to be effectively implemented. Conversations with the Office for Employee and Organizational Development have already taken place on various ways to deliver this training.

Lykins requested an update at the next Commission meeting on the progress of the training to monitor compared to the timetable of the delayed implementation.

In response to a question by Mays, Cundy said that there is no formal implementation process for schedule changes. Agency specific changes are distributed to the appropriate agencies. Changes to the General Schedule for State Agencies are posted on the Department's website. In the case of the proposed change to Series M0002, General Correspondence, given its potentially dramatic impact on state agencies, PRD staff would make greater efforts to raise awareness.

Mr. Haynes made a motion to approve the addition, and to approve the revision, with a delayed implementation date of July 1, 2007 for Series M0002, General Correspondence and in the interim Public Records staff will conduct extensive training sessions across state agencies to raise awareness and instruct on how best to affect the change, seconded by Ms. McAninch. The vote by members and representatives present was 11 for, 0 against, and 1 abstaining. Ms. Dennis was the member abstaining.

Dr. William Morison addressed the Commission, having served on that body for many years. He came today to witness the discussion surrounding the proposed change to the General Schedule. Morison stated that he continues to be very impressed by the quality of the work done by the Commission and PRD staff. Morison expressed his support for the educational efforts being undertaken by the PRD staff.

OTHER SCHEDULE-RELATED BUSINESS

Belding said that a new item on the agenda represents changes to selected records retention schedules that do not require committee members to vote, but reflect clarifications of existing schedules. Cundy noted that Brookman changed the nomenclature on the retention schedules for the Commonwealth Office of Technology (formerly the Governor's Office of Technology) and the Governor's Office of Energy Policy (formerly under the Commerce Cabinet) to reflect current administrative designations.

OTHER BUSINESS

Onkst asked for a recommendation to fill the vacancy on the Executive Committee of the Kentucky Historical Society. KRS 171.311 (4) requires the Commission have a member on the committee. Dr. Thomas D. Clark filled that position for many years and since his death the position has been vacant. Bensenhaver nominated Terry Birdwhistell to fill the position, seconded by McAninch. The vote by members and representatives present was unanimous.

Belding brought to the attention of the Commission the Resolution of Appreciation of service to honor Dr. Thomas D. Clark, along with a photo of him, which was unveiled during Archives Week 2006.

Also, during the month of November, Belding and members of his staff met with members of the Governor's staff at the Governor's request and discussed records management issues. Governor Fletcher asked about matters including appropriate procedures for transfer of archival materials, how to manage e-mail and other electronic resources. PRD staff is already harvesting material from the Office of the Governor's website for inclusion in the department's e-archives. PRD staff looks forward to an effective working relationship with the Governor's staff.

Belding discussed the recent announcement about a projected revenue surplus and the fact that the Governor has solicited opinions from citizens for possible ways those funds could best be spent. KDLA's concern for a facility addition continues to be high on the agency's list of priorities. While the facility addition request was not specifically approved in the Capital Construction portion of the executive budget that was passed in the last session and as a result cannot be considered for possible funding in an upcoming session, efforts will continue to get

this critical need addressed, and staff will be assembling its 2007 capital construction request shortly to meet the April 15, 2007, deadline of the Capital Planning Advisory Board.

Belding stated his staff will continue the legislative tracking of bills that are of interest to the agency and will have that information for Commission members at its March meeting.

Belding discussed HB 537 which was passed in the 2006 session of the General Assembly and provides additional funding for KDLA's Local Records program through an amendment of the State Legal Process Tax. These funds that will go into a designated trust account in KDLA to be used for the Local Records program. It is too soon to know how much additional revenue might be generated, but it will probably be a substantial amount. Belding recognized Carlton, who explained that the new funding will probably be available beginning in February 2007, and that there are some estimated projections from the Department of Revenue that additional funds could be as much as \$800,000 to \$1,000,000 annually. This is above the amount currently disseminated annually in grants, which is \$430,000. This will give the Local Records Program significantly more flexibility in grant distribution. Some of the projects to be considered for funding will involve digital technology for smaller counties but the primary focus of the Local Records program will continue to be preservation of local records, through projects such as security microfilming, and improving records management at the local government level.

There being no further business, Onkst adjourned the meeting at 12:55.